

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

SCANSOFT, INC.

Plaintiff,

V.

VOICE SIGNAL TECHNOLOGIES, INC.,
LAURENCE S. GILLICK, ROBERT S.
ROTH, JONATHAN P. YAMRON, and
MANFRED G. GRABHERR

Defendants.

Civil Action No. 04-10353 PBS

ASSENTED-TO MOTION FOR IMPOUNDMENT

Pursuant to Local Rule 7.2 and paragraph 14 of the parties' Protective Order ("Protective Order"), plaintiff ScanSoft, Inc. ("ScanSoft") moves for an order granting leave to file under seal the Memorandum in Support of Motion to Compel Deposition Testimony and for Sanctions. ("Memorandum"), filed concurrently by hand.

As grounds for the motion, ScanSoft states that the Memorandum cites to the February 22, 2005 deposition testimony of Mr. Daniel Roth (attached to the Memorandum as Exhibit A) and to the February 28, 2005 deposition testimony of Mr. Jordan Cohen (attached to the Memorandum as Exhibit C) and includes excerpts from both transcripts. VST subsequently designated the Cohen and Roth transcripts as Highly Confidential under the terms of the Protective Order. Because ScanSoft does not believe the transcripts reveal any confidential information, in an effort to avoid needlessly seeking the impoundment of these materials, ScanSoft contacted counsel for Voice Signal and requested confirmation that the transcripts do

not, in fact, contain Highly Confidential material. The parties are unable to reach agreement on the issues raised by this motion.

Accordingly, pursuant to the terms of the Protective Order, ScanSoft moves that the Memorandum be placed under seal in the envelope provided and that impoundment continue pursuant to Local Rule 7.2 and the terms of the Protective Order. Alternatively, should the Court deny this motion to file under seal, ScanSoft respectfully requests that the Memorandum be treated as filed in the regular course and placed in the public record.

CERTIFICATE PURSUANT TO CIVIL LOCAL RULE 7.1

I hereby certify that on April 8, 2005, counsel for the parties conferred regarding this motion but were unable to come to an agreement.

Dated: April 8, 2005

SCANSOFT, INC.,
By its attorneys,

/s/ Lisa M. Fleming

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